

Land Bank Board of Trustees Meeting

**December 01, 2015
City Commission Room, 700 N. Jefferson, Junction City KS 66441**

**Michael Ryan
Mick McCallister
Pat Landes
Jim Sands
Phyllis Fitzgerald**

1. 7:15 P.M. - CALL TO ORDER:

2. NEW BUSINESS:

- [a.](#) Consideration of Land Bank Minutes for September 15, 2015, October 6, 2015, and October 26, 2015.
- [b.](#) Consideration of the Acceptance of the Offer to Purchase of Twelve (12) lots from the Junction City Land Bank (Lots 1 through 12, Block 5 of Deer Creek Addition Unit No. 3, which are the twelve lots on the east side of Wolf Court, south of Ash Street.

3. ADJOURNMENT:

Land Bank Board of Trustees Meeting

Backup material for agenda item:

- a. Consideration of Land Bank Minutes for September 15, 2015, October 6, 2015, and October 26, 2015.

JUNCTION CITY LAND BANK BOARD OF TRUSTEES MINUTES

September 15, 2015

6:00 p.m.

CALL TO ORDER

A meeting of the Junction City Land Bank Board of Trustees was held on Tuesday, September 15, 2015 with Chairman Mick McCallister presiding.

The following members of the Land Bank were present: Phyllis Fitzgerald, Mick McCallister, Pat Landes, Michael Ryan and Jim Sands. Staff present was: Allen Dinkel, Cheryl Beatty, and Tyler Ficken.

NEW BUSINESS

Consideration of Land Bank Minutes for August 4, 2015. Trustee Sands moved, seconded by Trustee Fitzgerald to approve the Land Bank Minutes for August 4, 2015. Ayes: Fitzgerald, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

Consideration of the Acceptance of the Offer to Purchase of Two (2) Land Bank lots from the Sealed Bid Sale on September 10, 2015. Commissioner Landes moved, seconded by Commissioner Ryan to approve the offer to purchase two (2) Land Bank lots from the sealed bid sale on September 10, 2015. Ayes: Fitzgerald, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

ADJOURNMENT

Trustee Landes moved, seconded by Trustee Ryan to adjourn at 6:40 p.m. Ayes: Fitzgerald, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

APPROVED AND ACCEPTED THIS 1ST DAY OF DECEMBER AS THE OFFICIAL COPY OF THE JUNCTION CITY LAND BANK BOARD OF TRUSTEES MINUTES FOR OCTOBER 26, 2015.

Tyler Ficken, Secretary

Mick McCallister, Chairman

JUNCTION CITY LAND BANK BOARD OF TRUSTEES MINUTES

October 6, 2015

6:00 p.m.

CALL TO ORDER

A meeting of the Junction City Land Bank Board of Trustees was held on Monday, October 6, 2015 with Chairman Mick McCallister presiding.

The following members of the Land Bank were present: Phyllis Fitzgerald, Mick McCallister, Pat Landes, Michael Ryan and Jim Sands. Staff present was: Allen Dinkel, Cheryl Beatty, and Tyler Ficken.

NEW BUSINESS

Report of the Ad Hoc committee. The report of the Ad Hoc committee was made.

Request of an easement from Kansas Gas. No action was taken.

ADJOURNMENT

Trustee Sands moved, seconded by Trustee Ryan to adjourn at 6:48 p.m. Ayes: Fitzgerald, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

APPROVED AND ACCEPTED THIS 1ST DAY OF DECEMBER AS THE OFFICIAL COPY OF THE JUNCTION CITY LAND BANK BOARD OF TRUSTEES MINUTES FOR OCTOBER 6, 2015.

Tyler Ficken, Secretary

Mick McCallister, Chairman

JUNCTION CITY LAND BANK BOARD OF TRUSTEES MINUTES

October 26, 2015

5:00 p.m.

CALL TO ORDER

A meeting of the Junction City Land Bank Board of Trustees was held on Monday, October 26, 2015 with Chairman Mick McCallister presiding.

The following members of the Land Bank were present: Phyllis Fitzgerald, Mick McCallister, Pat Landes, Michael Ryan and Jim Sands. Staff present was: Allen Dinkel, Cheryl Beatty, and Tyler Ficken.

NEW BUSINESS

Consideration of grant of easement to Kansas Gas Service. Trustee Landes moved, seconded by Trustee Fitzgerald to approve the grant of easement as presented. Ayes: Fitzgerald, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

ADJOURNMENT

Trustee Landes moved, seconded by Trustee Fitzgerald to adjourn at 5:23 p.m. Ayes: Fitzgerald, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

APPROVED AND ACCEPTED THIS 1ST DAY OF DECEMBER AS THE OFFICIAL COPY OF THE JUNCTION CITY LAND BANK BOARD OF TRUSTEES MINUTES FOR OCTOBER 26, 2015.

Tyler Ficken, Secretary

Mick McCallister, Chairman

Land Bank Board of Trustees Meeting

Backup material for agenda item:

- b. Consideration of the Acceptance of the Offer to Purchase of Twelve (12) lots from the Junction City Land Bank (Lots 1 through 12, Block 5 of Deer Creek Addition Unit No. 3, which are the twelve lots on the east side of Wolf Court, south of Ash Street.

City of Junction City
Land Bank Board of Trustees/City Commission
Agenda Memo

December 1, 2015

From: David L. Yearout, AICP, CFM, Director of Planning and Zoning

To: Land Bank Board of Trustees/City Commission & Allen Dinkel, City Manager

Subject: Offer to Purchase Land Bank Lots – R & R Developers, Inc.

Issue: Consideration of the Acceptance of the Offer to Purchase of Twelve (12) lots from the Junction City Land Bank (Lots 1 through 12, Block 5 of Deer Creek Addition Unit No. 3, which are the twelve lots on the east side of Wolf Court, south of Ash Street.

Explanation of Issue: The Junction City Land Bank received an Offer to Purchase twelve (12) lots from the inventory of Land Bank lots from R & R Developers, Inc., on November 5, 2015. The specific lots are described above and are also described in the Offer to Purchase, a copy of which is attached. We have also attached a copy of the relevant plat for your information, along with an aerial photo with the lots highlighted.

The offer is to purchase the twelve lots for \$5,000.00 each, for a total purchase price of \$60,000.00. The conditions attached to the Offer to Purchase are as follows:

1. The City take steps to respreads the outstanding Special Assessments on these lots for a new 20-year period beginning with the tax bills that will be presented in November, 2016.
2. The Land Bank provide and pay for a standard ALTA Owner's Policy of Title Insurance.
3. The Land Bank "replat" these 12 lots to reconfigure lot sizes consistent with the desires of the purchaser, with all costs associated with the "replatting", including surveying, engineering and recordings, to be paid by the Land Bank.
4. Closing to be within ten (10) days following the recording of the replat of the property as noted above.

NOTE: Because these lots do not have gas or electric mains installed, the purchaser has acknowledged contact has been made and all costs associated with the extension of the gas and electric utility mains by the respective utility companies will be paid by the purchaser and the Land Bank will not be responsible for covering any of these costs.

Staff Recommendation: Following considerable discussion by staff and a preference that the replatting, and the costs associated therewith, be coordinated by the purchaser with the waiver of some fees by the City, the recommendation is to accept the Offer to Purchase from R & R Developers, Inc., Junction City, Kansas, for Lots 1 through 12, inclusive, Block 5, in Deer Creek Addition Unit No. 3 to Junction City, Kansas, in the amount of \$57,000.00; subject to the following:

1. The City respread the outstanding Special Assessments on these 12 lots (adjusted among the 12 lots as necessary for the proposed "replat") for a new 20-year period beginning with the tax bills that will be presented in November, 2016.
2. The Land Bank provide a standard ALTA Owner's Policy of Title Insurance, with costs for said Title Policy and closing costs to be paid exclusively by the purchaser.

3. The Land Bank authorizes the purchaser and/or his Engineer to "replat" these 12 lots to reconfigure lot sizes consistent with the desires of the purchaser, with all costs associated with the "replatting", including surveying, engineering and recordings, to be paid by the purchaser.
4. Closing to be within ten (10) days following the recording of the replat of the property as noted above.
5. The purchaser be solely responsible for arranging and paying for the extension of gas and electric utility mains to serve these lots.

If the foregoing is approved, the City Attorney will be directed to prepare a form of real estate contract reflecting the above matters, as well as other standard Land Bank provisions, to be approved by the Land Bank and the Buyer, and a notice of sale should be published.

Suggested Motion:

Trustee _____ moved the Junction City Land Bank Board of Trustees accept the Offer to Purchase from R & R Developers, Inc., Junction City, Kansas, for Lots 1 through 12, inclusive, Block 5, in Deer Creek Addition Unit No. 3 to Junction City, Kansas, in the amount of \$57,000.00; subject to the approval by the parties of a contract including the following provisions:

1. The City respread the outstanding Special Assessments on these lots for a new 20-year period beginning with the tax bills that will be presented in November, 2016.
2. The Land Bank provide a standard ALTA Owner's Policy of Title Insurance, with costs for said Title Policy and closing costs to be paid exclusively by the purchaser.
3. The Land Bank authorizes the purchaser and/or his Engineer to "replat" these 12 lots to reconfigure lot sizes consistent with the desires of the purchaser, with all costs associated with the "replatting", including surveying, engineering and recordings, to be paid by the purchaser.
4. Closing to be within ten (10) days following the recording of the replat of the property as noted above.
5. The purchaser be solely responsible for arranging and paying for the extension of gas and electric utility mains to serve these lots.

Trustee _____ seconded the motion.

Enclosures:

Offer to Purchase – Lots 1 through 12, inclusive, Block 5, Deer Creek Addition Unit No. 3, to Junction City, Kansas.
Copy of relevant portion of Deer Creek Addition Unit No. 3
Copy of Aerial photo of subject property
Copy of Notice of Sale

R & R Developers, Inc.

*217 N. Washington Street
Junction City, KS 66441
(785) 762-2255*

November 4, 2015

Mike McCallister
Mayor
City of Junction City
700 N. Jefferson Street
Junction City, KS 66441

Allen Dinkel
City Manager
City of Junction City
700 N. Jefferson Street
Junction City, KS 66441

David Yearout
Zoning Administrator
City of Junction City
700 N. Jefferson Street
Junction City, KS 66441

RE: Offer to purchase lots located in Deer Creek Addition Unit
No. 3, held in City's land bank

Dear Gentlemen:

R & R Developers would like to acquire Lots 1 through 12, inclusive, of Block 5 of Deer Creek Addition Unit No. 3 (the "Lots") from the Junction City Land Bank. These Lots are located on the east side of Wolf Court.

We would offer to purchase the Lots on the following terms:

1. Price. The purchase price would be \$5,000 per Lot, for a total of \$60,000.
2. Special Assessments. Our offer is conditioned upon the City agreeing and taking all action necessary to re-spread the existing special assessments against these Lots over a term of twenty (20) years commencing in 2016.
3. Costs of Transaction. The City or the Land Bank would be responsible for providing and paying for a standard ALTA owner's policy of title insurance verifying that the City holds marketable fee title, subject only to the existing special assessments for public improvements, platted easements, and any master declarations of covenants and restrictions which encumber the Deer Creek Unit No. 3 Addition.

4. Contingencies to Closing. The closing would be conditioned and contingent upon the City's governing body duly approving:

(a) a replat of the Lots to make certain reconfigurations to the dimensions of the Lots in a manner as we request, which we understand must in all respects comply with the City's subdivision regulations. The City would bear all costs of the replatting, including surveying and engineering costs and application fees, and

(b) the extension of the remaining term of the existing special assessments to a term of twenty (20) years.

The closing would occur within ten (10) business days after the replat is approved by the City's governing body with finality and is duly recorded.

5. Existing Condition. We acknowledge and understand that the Land Bank would make no representations or warranties regarding the physical condition of the Lots or their suitability for use and development as residential building lots. We also acknowledge that it will be our responsibility to arrange with the service providers and pay for the extension of gas and electric lines and facilities to service to the Lots.

If the foregoing terms are acceptable to the Land Bank and the City, we will have prepared and submit to you for consideration of the City Commission a formal purchase contract consistent with the foregoing essential terms and conditions.

Sincerely yours,



Richard L. Rothfuss
President



KAW VALLEY ENGINEERING, INC.

Office: 785.762.5040
Fax: 785.762.7744
Web: www.kveng.com
Address: 2319 N. Jackson
P.O. Box 1304
Junction City, KS 66441

November 16, 2015
A15S7429

Mr. Dave Yearout
City of Junction City, KS
P.O. Box 287
Junction City, KS 66441

**RE: Replatting Lots along Wolf Court
Deer Creek Addition Unit No. 3 – Junction City, Kansas**

Dear Mr. Yearout:

Per our conversation concerning replatting the 12 lots along Wolf Court, Kaw Valley Engineering, Inc. would offer the following.

Scope of Services:

1. Field work to verify or re-establish the boundary corner of Block 5\$1,500.00
2. Preparing replat per City requirements\$1,280.00
3. Review by a Registered Land Surveyor\$100.00

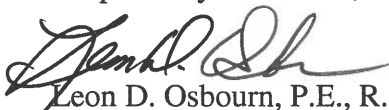
Total Estimated Fees\$2,880.00

The above fees do not include attending Metropolitan Planning Commission or City Council meetings, or preparing applications and fees.

Should you have any questions or require additional information, please feel free to contact me.

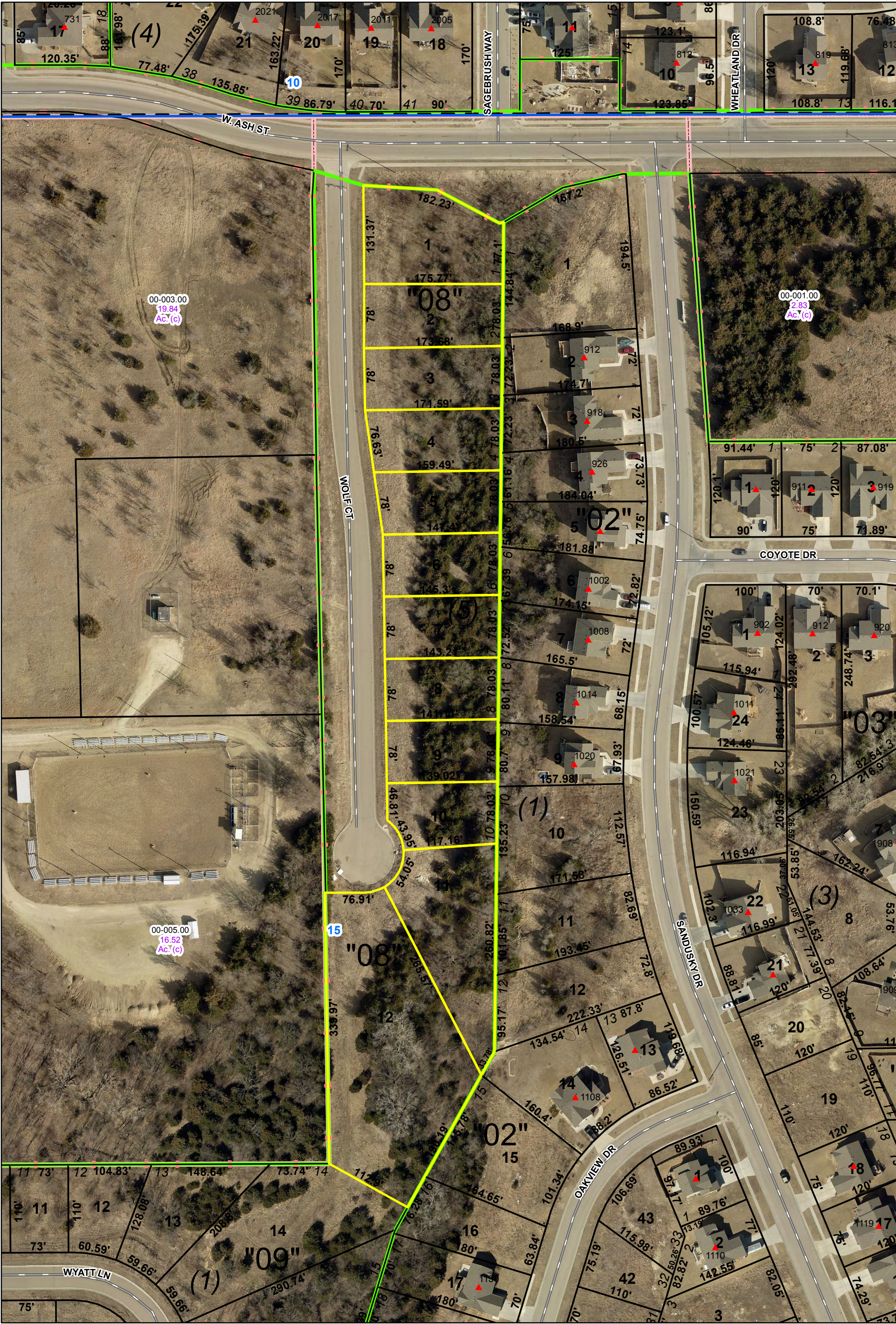
Your signature below will be our authorization to proceed.

Respectfully Submitted,


Leon D. Osbourn, P.E., R.L.S.
President

Mr. Dave Yearout (Date)
City of Junction City, Kansas

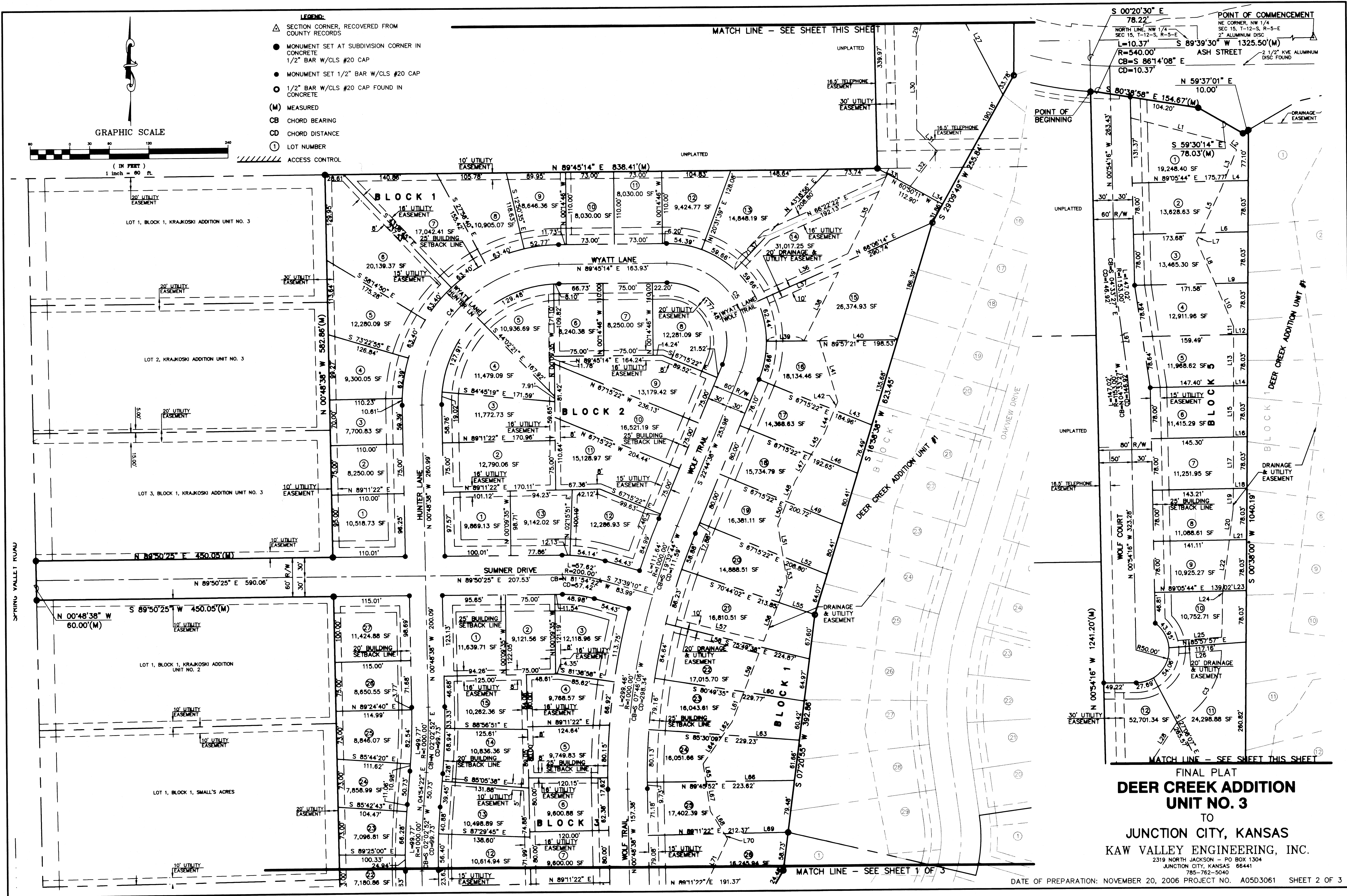
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R&R Developers Request For Purchase
Block 5, Lots 1-12, 12 Silver Creek Addition 3

Date: 11/24/2015

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CITY OF JUNCTION CITY LAND BANK

NOTICE OF SALE

Notice is hereby given that the Board of Trustees of the Junction City Land Bank have conditionally accepted an offer to purchase the following lots:

Lots 1 through 12, Block 5 of Deer Creek Addition Unit No. 3, City of Junction City,
Geary County, Kansas,

with the sale of such lots to be on a date which is not sooner than 30 days after the date of publication of this notice.

/s/ Tyler Ficken
Land Bank Secretary
December 1, 2015